REMARKS

Applicants propose amending claims 1, 11, and 21. Claims 1-22 remain pending in this application.

In the Final Office Action,[1] the Examiner rejected claims 1-22 under 35 U.S.C. § 102(b) as being anticipated by <u>Cook et al.</u> (U.S. Patent No. 5,727,950). Applicants respectfully traverse the rejection for at least the following reasons.

To properly anticipate Applicants' claimed invention under 35 U.S.C. § 102(b), the Examiner must demonstrate the presence of each and every element of the claim in issue, either expressly described or under principles of inherency, in a single prior art reference. Furthermore, "[t]he identical invention must be shown in as complete detail as is contained in the . . . claim." *See* MPEP § 2121 (8th ed., Aug. 2001), *quoting* <u>Richardson v. Suzuki Motor Co.</u>, 868 F.2d 1126, 1236, 9 U.S.P.Q.2d 1913, 1920 (Fed. Cir. 1989). Finally, "[t]he elements must be arranged as required by the claim." MPEP § 2131 (8th ed. 2001), p. 2100-69.

Independent claim 1, as proposed to be amended, recites a computer-implemented method for curriculum management including, among other steps, "electronically receiving input from a user specifying metadata for defining a curriculum type that includes one or more curriculum type elements, the curriculum type being a template for a curriculum that enables content and structure of a curriculum to be

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[1] The Final Office Action contains a number of statements reflecting characterizations of the related art and the claims. Regardless of whether any such statement is identified herein, Applicants decline to automatically subscribe to any statement or characterization in the Final Office Action.

defined generically without planning specific training courses." Cook et al. does not teach at least this feature of claim 1.

By contrast, according to the Cook et al. system, a "designer chooses names for ... [a] task and exercise, its prerequisites, and the skills to be acquired." See col. 32, lines 29-32. "[G]lobal parameters set by the agent ... control the materials and are preferably state variables that the materials sequencing logic references in order to make educationally significant sequencing decisions." See col. 51, lines 19-22. "Communications from the materials to the agent are controlled by notations in the materials data." See col. 51, lines 32-33. Further, a "scheduler/calendar tool" may also be used by a student to schedule materials. See col. 44, lines 31-35. However, the Cook et al. system does not teach "electronically receiving input from a user specifying metadata for defining a curriculum type that ... [is] a template for a curriculum that enables content and structure of a curriculum to be defined generically without planning specific training courses," as required by claim 1.

Applicants note that, consistent with embodiments of the present invention, curriculums may be defined in the abstract. For example, as described in the specification, "a curriculum [may] ... be defined without specifying actual course dates, locations, instructors and other details. Once a curriculum type is defined, it can be used later as the basis for defining one or more specific curriculums." See specification at page 1, line 24 to page 2, line 2[2]. On the other hand, Cook et al. fails to teach a curriculum type that can be generically defined. In particular, Cook et al. does not

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[2] In making the various references to the specification set forth herein, it is to be understood that Applicants are in no way intending to limit the scope of the claims to the exemplary embodiments described in the specification. Rather, Applicants expressly affirm that they are entitled to have the claims interpreted broadly, to the maximum extent permitted by statute, regulation and applicable case law.

disclose defining the claimed "curriculum type" that is "a template for a curriculum that enables content and structure of a curriculum to be define generically without planning specific training courses," as required by claim 1. Therefore, since Cook et al. does not teach all of the elements required by claim 1, Cook et al. does not anticipate claim 1.

Independent claims 11 and 21, as proposed to be amended, while of a different scope from claim 1 and each other, include recitations of a scope similar to that of claim 1. Thus, for reasons similar to that given above for claim 1, Cook et al. does not anticipate claims 11 and 21.

Claims 2-10, 12-20, and 22 depend from independent claims 1, 11, or 21 and, therefore, are not anticipated by Cook et al. at least due to their dependence from one of the independent claims.
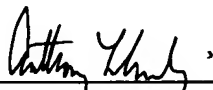
CONCLUSION

Applicants respectfully request that the Examiner enter this Amendment under 37 C.F.R. § 1.116, placing the pending claims in condition for allowance. In view of the foregoing remarks, Applicants request the entry of this Amendment, the Examiner's reconsideration and reexamination of the application, and the timely allowance of the pending claims.

Please grant any extensions of time required to enter this response and charge any additional required fees to our deposit account 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

Dated: May 22, 2006   By:_____
                                             Anthony J. Lombardi
                                             Reg. No. 53,232